

July 12, 2004

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Kemp, Frye, Davis, and Mason were present. Kim Newsom, Randolph County Personnel Director, gave the invocation, and everyone recited the Pledge of Allegiance.

Addition to Agenda

Chairman Holmes announced the addition of item N. under New Business: Request for Funding for Pisgah Covered Bridge Restoration.

Consent Agenda

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the Consent Agenda, as presented:

- *approve minutes of the June 7, 8, 14, 21, and 28, 2004 Meetings and June 28 Special Meeting;*
- *reappoint Gerald Weideman, Charles Spivey, Maxine Wright, Sonja Hole, Dorothy Grabol, Lucy Dorsey, Jane Leonard, Judge Brad Long, Jim Weston, Patrick O'Hara to Juvenile Crime Prevention Council (2-yr. term);*
- *reappoint Libby Frye & Susan Behr to Adult Care Home Advisory Committee (3-yr. term);*
- *approve D.O.T. resolutions authorizing addition of Brookshire Court and Leonae Drive to state roads system, as follows:*

***WHEREAS**, the Department of Transportation has investigated Brookshire Court in the Hollowridge Subdivision; and*

***WHEREAS**, the subject street has been found to meet minimum requirements for addition.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Brookshire Court in the Hollowridge Subdivision be added to the Division of Highways' Secondary Road System.*

and

***WHEREAS**, the Department of Transportation has investigated Leonae Drive in the Forest Park Subdivision; and*

***WHEREAS**, the subject street has been found to meet minimum requirements for addition;*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Leonae Drive in the Forest Park Subdivision be added to the Division of Highways' Secondary Road System.*

Presentation of the Randolph County Information Technology Work Plan

Annette Crotts, County MIS Director, reminded the Board that in January 2003 the County had hired consultant Tom Foss with the Institute of Government to help us consider all our technology needs. We created work groups to study business needs. During the year, we had over 100 of our staff members involved in the planning process. The group looked at how we do things today versus how we believe the process should work in the future. In February 2004 Tom Foss presented us with a complete Information Technology Needs Assessment. It lists about 60 directives or needs from the working committees. In the Assessment, three main objectives quickly emerged.

- The first objective is the avoidance of silos in technology. Silos are those individual software applications that were never intended to work with other software applications. When Randolph County entered the technology arena, we, like other local governments, bought commercial-off-the-shelf software. We realized quickly that these applications often used proprietary software and did not use open database structure for easy accessibility to the data. Our staff quickly learned how to

work around these roadblocks and began to enhance our applications to save keystrokes or interface with other applications. Our technical staff spent the time to make these applications very efficient and streamlined. Since then, the software industry has become more open to the same trend of creating applications that are easily interfaced with other applications. However, they are more concerned with eliminating the silos than eliminating extra steps for the employee. While our approach has made life easier for the end user, it has created an excessive workload for the programming staff in trying to maintain all the programs and stay up-to-date with all software changes being made by leaders like Microsoft. Therefore, it is recommended that the County move in the direction of commercial-off-the-shelf software that is geared to eliminating silos but takes into account employee productivity.

- The second objective is to establish a governing mechanism that looks at technology issues in an organizational way, not just from a departmental perspective. This will require an organizational shift in decision-making. In order to avoid silos and recognize the interdependency between departments, County Manager Frank Willis has created a Technology Policy Team. The Team consists of all County Department Heads. Their job as members of this team is to govern overall technology within the organization by eliminating silos, establishing policies and procedures, and planning for future technology issues facing the County.
- The final objective is to establish a work plan that begins tackling the technology needs identified within the study. With the excessive amount of tasks identified, the total cost to implement a solution for everyone would exceed \$7,000,000 and would require additional personnel, at least temporarily, due to the complexity of the tasks. Because of issues with timing, costs, and limited personnel resources, a work plan was developed that focuses on the recommendations that would have the greatest impact on all County departments. The Technology Policy Team reviewed recommendations in May, 2004, and unanimously voted to present this work plan for the Board's approval.

The work plan includes:

<u>Task ID</u>	<u>Dollars Allocated</u>	<u>Project Name</u>
A	\$50,000	Virtual Private Network options with 2 nd Internet path
B	\$447,000	Document Imaging & Records Management
C	\$300,000	Replace Pick – Phase I Financials, Payroll/Personnel
	\$50,000	Contingency funds

- A. The first item listed on the work plan is to expand our **Virtual Private Network** capabilities by adding a secondary Internet path with load-balancing options. Currently, we use one connection to Raleigh that handles all of our Internet traffic, both incoming and outgoing. This same line handles our connections to the State governmental offices. When this phone line (T1) is down, then citizens cannot access the County's web page, and we cannot get outside e-mail or access State computers or Internet sites. A second issue related to this is that some departments like the Library, Register of Deeds, and Soil & Water do not have access to the County's computers because they have separate networks. Therefore, they do not benefit from centralized applications on the County network, like Financials, Payroll/Personnel, or the County's Intranet. By adding a secondary line with another provider we have a backup path to the State as well as for our citizens to access our records. In addition, we have the extra bandwidth needed to allow the departments with separate

networks to connect to the County's Intranet and other County computers where critical data is stored.

- B. The second item listed is **Document Imaging & Records Management**. This need became increasingly apparent during our needs assessment. The number of paper files in all our departments is massive. We need a method of establishing a centralized imaging system that will handle the different needs of all the County departments, while freeing up storage space, improving employee productivity, and preserving historical and confidential documents. A scanning solution could solve part of the problem, but by expanding the solution to include an integrated forms program, we can solve more than one task. The forms program will allow for the creation of on-line forms and document routing within the County. Our integrated approach has peaked the interest of numerous counties and cities. They are cautiously watching to see how our project develops.
- C. The next item in the work plan is to replace part of the **PICK applications**. We have spent over a year looking at different vendor solutions for replacing our PICK applications. However, we have found that vendors have not necessarily included all of the efficiency and customizations into their applications that we have placed in our existing applications. In fact, some of the vendors' solutions may actually cause us to be less efficient. We did find that the Financials, along with Payroll/Personnel, was more readily available than Centralized Permitting and other PICK applications. We had also identified the Financials and Payroll/Personnel as applications that were not as employee efficient as other PICK applications. Most departments were duplicating records in order to more closely track their financial records. By replacing these applications with commercial-off-the-shelf software that allows for inquiries, customized reports and integration, we would add functionality and efficiency in all County departments.

The proposed work plan uses encumbered money from previous years. So no additional funds are needed at this time. Purchases will follow the regular purchasing procedures, with expenditures greater than \$15,000 coming before the Commissioners for final approval.

On motion of Kemp, seconded by Frye, the Board voted unanimously to adopt the technology work plan, as presented, and to authorize spending of the encumbered funds..

Update on the Randolph County Development Corporation

Bonnie Renfro, Randolph County Economic Development Corporation President, stated that over the last 24 months, several good clients have requested variations of real estate incentives that are widely available in other locations. To remain competitive for those projects, the EDC is considering a new strategy. The EDC Board has decided to establish a separate 501(c)(3) organization to focus solely on real estate. They have filed Articles of Incorporation for the Randolph County Development Corporation (RCDC) and are applying for tax-exempt status under the IRS-allowed charitable purpose of "reducing the burden of government."

Having the RCDC in place will allow EDC to separate their activities and reduce potential liabilities. It will provide greater scope to work with private landowners, banks, and foundations. An individual or company can give an asset or gift to the RCDC and receive a tax deduction. Certain grants are available only to a 501(c)(3) organization. Under their charter, they may acquire, develop, sell, lease, and otherwise deal in or with real property in the state that is now or may be suitable as sites for new industries or businesses and also for sites for the expansion of existing industries or businesses. They may also borrow money and convey, mortgage, or pledge all or any part of their property as their Board of Directors may determine.

Request for Glock Trade-in & Replacement of Sheriff's Dept. Pistols

Major Allen McNeill told the Board that the Sheriff's Office is interested in participating in the Glock buy-back program. He said that in 1992 the Sheriff's Office purchased Glock Model 21 .45 caliber pistols from Glock, Inc. Those weapons were equipped with Trijicon night sights, which were guaranteed for 10 years. These sights are now 12 years old and some have already had to be replaced. Arrington Police Distributors, Inc. has provided a quote of \$89.99 each for night sight replacement. Glock, Inc. has offered to trade for all of the weapons (with faulty sights) and replace them with new weapons. Glock proposes to charge \$474 for the new guns and issue a \$360 credit for the old guns, which is a difference of \$114 per gun. The new guns would come equipped with new Trijicon night sights, which would be good for another 10 years. Major McNeill said that they would like to replace 75 guns now, which would cost \$8,550.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the Glock trade-in and replacement of Sheriff's Department pistols, as requested, at a cost of \$8,550.

Request to Approve Format Change for Soil Survey Maps

Craig Frazier told the Board that Randolph County entered into an agreement with USDA Soil Conservation Service [now Natural Resources Conservation Service (NRCS)] in 1987 for a soil survey of Randolph County (495,376 acres), excluding 8,900 acres that are federally owned and a part of the Uwharrie National Forest. This project took several years to complete. Major fieldwork and soil names and descriptions for the soil survey were completed in 1995. On September 25, 1996, the Final Acre Ceremony was held at the North Carolina Zoo, marking the final completion of the soil mapping in Randolph County.

After completion of the fieldwork, it is not uncommon to wait 10 years or more before the survey is published and delivered in book form to the county. The agreement with Randolph County allowed for the delivery of 1000 published surveys. We were informed recently that it could still be several years before those surveys are available. However, if we choose to accept 1000 CD's and 500 sets of paper maps, we could have them within a year. This is being made possible by NRCS gradually implementing new digital soil survey products, and they can now deliver the CD version of the finished survey.

On motion of Davis, seconded by Mason, the Board voted unanimously to accept the format change for the Randolph County soil survey maps to include 1000 cd's and 500 sets of paper maps instead of the original promised 1000 published surveys.

Adopt 2004-2005 Classification and Pay Plan

Kim Newsom presented the proposed 2004-2005 classification and pay plan for consideration.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the 2004-2005 classification and pay plan, as presented.

Annual Settlement Report

Ben Chavis, Tax Administrator, submitted the collection settlement reports (real and personal property, motor vehicles, and ambulance) for FY 2003-2004, as required by G.S. 105-373. The collection rate for 2003-2004 was 99.01%. He said Medicaid and Medicare regulations are making it more difficult to collect on ambulance bills. He mentioned that North Carolina is the only state that collects vehicle taxes in arrears; all other states require vehicle owners to pay when they purchase their tag.

On motion of Kemp, seconded by Frye, the Board unanimously accepted the following collection settlement reports for FY 2003-2004, as presented by Mr. Chavis.

Real and Personal Property Settlement Report:

Beginning Balances:

Current Levy	54,354,980.17
Delinquent Secured	398,568.96
Delinquent Unsecured	629,336.60
Total Beginning Receivables	55,382,885.73

Additions:

Manual Discoveries, Public Utilities	1,992,866.31
Supplemental Billing (second billing)	663,673.43

Credits:

Collections	56,080,275.44
Releases	282,089.53
Discounts	602,038.58

Adjustments: (54,307,863.81)

Ending Balances:

Current Secured Levy	389,333.24
Current Unsecured Levy	170,408.39
Delinquent Secured	62,488.60
Delinquent Unsecured	452,791.69

Total Ending Receivables **1,075,021.92**

Vehicle Settlement Report:

	G01 ONLY	ALL DISTRICTS
Outstanding Balance:	920,245.84	1,788,949.78
LEVY/CHARGES	5,711,307.30	7,810,091.20
Interest Charged:	64,003.20	96,276.19
Total:	6,695,556.34	9,695,317.17

Taxes Collected:	5,271,334.79	7,483,806.82
Interest Collected:	64,003.20	96,276.19
Taxes Released:	122,087.13	191,664.42
Unpaid Taxes:	1,238,131.22	1,923,569.74
Total:	6,695,556.34	9,695,317.17

MONTH	%	MONTH	%
JULY	97.55	JULY	97.33
AUGUST	97.33	AUGUST	97.15
SEPTEMBER	97.16	SEPTEMBER	96.94

OCTOBER	96.36	OCTOBER	96.02
NOVEMBER	96.13	NOVEMBER	95.94
DECEMBER	93.56	DECEMBER	93.16
JANUARY	93.17	JANUARY	92.85
FEBRUARY	88.85	FEBRUARY	88.11
MARCH	87.82	MARCH	87.35
APRIL	89.00	APRIL	88.99
MAY	79.16	MAY	78.95

Ambulance Settlement Report:

	<u>Year to date</u>
Uncollected ambulance fees July 1, 2003	2,736,321.05
Ambulance fees charged to Tax Dept. for collection 7/1/03-6/30/04:	2,973,656.50
Legal fees (Garnishments, judgments, etc.)	1,490.00
Debits	592.96
Overpayments & refunds	11,382.33
TOTAL:	5,723,442.84
All sums deposited which represent ambulance fees and legal fees:	1,626,536.97
Releases (Medicare, Medicaid)	551,490.90
Uncollected ambulance fees	3,362,601.41
Credit	291.00
Statute of Limitations	182,522.56
TOTAL:	<u>5,723,442.84</u>
	0.00

Charge to Tax Collector

Chairman Holmes read the charge to collect taxes to Ben Chavis, as follows: *You are hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the office of the County Assessor and in the tax receipts delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Randolph and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.*

Approve Asheboro City Schools Public School Building Capital Fund Project Application

Will Massie, Deputy Finance Officer, reminded the Board that in February 2003, the County purchased the former Sir Robert Motel property for the Asheboro City Schools through an installment purchase agreement. The County's debt service requirements will be financed through allocations from the Public Schools Building Capital Fund provided by the State of North Carolina. This revenue was already included in the 03-04 General Fund budget to offset the related principal and interest costs. At its June meeting, the Asheboro Board of Education approved the project application for 03-04 debt service in the amount of \$202,599. This application also requires the approval of the Board of Commissioners.

On motion of Kemp, seconded by Davis, the Board unanimously approved the Asheboro City Schools Public School Building Capital Fund Project application, as presented.

Budget Amendment—Second 2004A COPS Escrow Fund Restructuring

Will Massie said that for a second time, Randolph County took advantage of rising interest rates to replace the securities in the 2004A escrow fund. When the County closed on 7/1/04, the County had received an additional \$383,592 beyond the previous restructuring savings. Issuance costs on this restructuring were \$42,350, resulting in a net gain of \$341,242. This will reduce the amount of Appropriated Fund Balance in the 2004-05 budget. The grand total of net savings from both escrow restructurings was \$1,068,174.

On motion of Frye, seconded by Mason, the Board unanimously approved Budget Amendment #1, as follows:

GENERAL FUND - # 1		
Revenues	Increase	Decrease
<i>Proceeds from Escrow Restructuring</i>	\$ 383,592	
<i>Appropriated Fund Balance</i>		\$341,242
Appropriations	Increase	
<i>Debt Service</i>	\$42,350	

Consideration of Non-Binding Referendum Concerning Funding of Parks and Recreation

Aimee Scotton, County Attorney, addressed the procedure involved in adding a question to the ballot in the November election as to whether the public would support a tax increase for parks and recreation. Initially, Ms. Scotton was informed by the elections expert at the Institute of Government that this could only be added to the ballot if the County received permission to do so through a local bill passed by the North Carolina General Assembly. She has since been contacted by the Institute and told that the County does not need a local bill to add the non-binding referendum to the November presidential ballot. The referendum must be conducted in accordance with N.C.G.S. 153A-149(d). This statute deals with notification and publication requirements so that the public is adequately informed that such a vote will be taking place. N.C.G.S. 153A-149(d) also states the basic form that the question must take on the ballot. Essentially, it would read as follows: "Shall Randolph County be authorized to levy annually a property tax at a rate not in excess of two cents on the one hundred dollars (\$100.00) value of property subject to taxation for the purpose of parks and recreation?" Ms. Scotton asked the Board for a decision as to whether or not the County wishes to take advantage of this authority and actually put this question to the public. She said that if the Board decides to add this question to the ballot, she would contact the Board of Elections so that they may begin making the necessary preparations (ordering of the ballots, etc.) to make this happen. She will also ensure that the publication requirements of the general statute are met. After the vote has been taken, the Board of Elections must certify the results to the Board of County Commissioners. Then, at the December Commissioners meeting, the Board will need to certify and announce these results, and the results would have to be published following that announcement.

On motion of Mason, seconded by Kemp, the Board voted unanimously to include a non-binding referendum concerning a 2-cent tax increase for recreation on the November 2004 ballot.

Award Bid for Urban Search & Rescue Equipment for EMS

Audrey Alexander, Purchasing Technician, said that pursuant to N.C.G.S. 143-129, request for proposals for urban search and rescue equipment for the Emergency Services department was issued on May 18, 2004. The following proposal was received:

Contractor	Bid
Ditch Witch of Charlotte, Inc.	\$54,872.00

Although only one bid was received, it has been determined that this proposal is reasonable, fair and equitable. She said that we received positive feedback from their references and feel confident that they will deliver the product in a timely manner. She recommends that the Board award the contract for the Urban Search and Rescue Equipment to Ditch Witch of Charlotte, Inc. at a cost of \$54,872.00. The purchase of this Urban Search and Rescue Equipment will be funded through a homeland security grant.

On motion of Davis, seconded by Kemp, the Board voted unanimously to award the contract for urban search and rescue equipment to Ditch Witch of Charlotte at a cost of \$54,872.

Set September Meeting Date (Labor Day Holiday Conflict)

On motion of Frye, seconded by Davis, the Board voted unanimously to set the regular September meeting for Tuesday, September 7, 2004.

Elect Voting Delegates for NACo and NCACC Annual Conferences

On motion of Frye, seconded by Davis, the Board unanimously elected Harold Holmes as the voting delegate for both the NACo and the NCACC Annual Conferences for 2004.

Request for Funding for Pisgah Covered Bridge Restoration

Chairman Holmes reported that he had received a letter from Dr. David Jones, NC Zoo Director, requesting a \$5,000 grant to finish the funding of the Pisgah Covered Bridge restoration. The project was estimated to cost \$80,000, but the final bill came to \$86,000.

After discussion, the Board felt this request should go to the Tourism Development Authority (TDA) instead. They asked Hal Johnson, Planning and Zoning Director, who also serves on the TDA Board, to pass along this request to TDA.

Closed Session

On motion of Frye, seconded by Davis, the Board voted unanimously at 5:30 p.m. to go into closed session to consult with the County Attorney to consider and give instructions concerning a judicial action titled "State of North Carolina, on Relation of, County of Randolph vs Clarence Ray Jernigan individually and d/b/a Heath Amusement; Heath Cigarette and Music Service, Inc. d/b/a Heath Amusement; and James Worth Heath individually and d/b/a Heath Amusement," pursuant to N.C.G.S. 143-318.11(a)(3).

The Board returned to regular session at 6:30 p.m. (Note: the Board took action concerning this closed session item later in the meeting.)

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning & Zoning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on each request.

1. RONALD MCKAGUE, Thomasville, North Carolina, is requesting that 6 acres (out of 22.99 acres) located at 6185 Old Mendenhall Road, Trinity Township, be rezoned from Light Industrial to Residential Agricultural/Conditional Use. Tax ID# 6798894568. Lake Reese Watershed. The Conditional Use Zoning District would specifically allow two rental mobile home lots. The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be approved.

Ronald McKague, applicant, stated that he just wants to replace an old mobile home with a newer one.

On motion of Frye, seconded by Davis, the Board unanimously approved the request of Ronald McKague.

2. **SUSAN SMITH**, Denton, North Carolina, is requesting that 3 acres (out of 75.30 acres) located on Hwy 49S (just past Conelson Road), New Hope Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Tax ID# 6687728751. The Conditional Use Zoning District would specifically allow a 40' x 100' structure with four service and retail shops (lawn and garden shop, craft and novelty shop, beauty shop, and food stand). The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be approved.

Terry Smith, 9252 NC Hwy 49 South, Asheboro, spoke in support of the request and explained their plans.

On motion of Davis, seconded by Mason, the Board unanimously approved the request of Susan Smith.

3. **MITCHELL BECK**, Randleman, North Carolina, is requesting that 3.75 acres located at end of Beck Country Drive (off Worthville Road), Franklinville Township, be rezoned from Residential Agricultural to Light Industrial/Conditional Use. Tax ID# 7774080601. The proposed Conditional Use Zoning District would specifically allow a junkyard and to operate a used car sales lot. The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be denied.

Mr. Johnson reviewed the history of the County's involvement with Mr. Beck. In 1990 Mr. Beck's junkyard operation was brought to the County's attention. Code Enforcement visited Mr. Beck and told him not to expand beyond what he had in 1987 (when countywide zoning went into effect). The 1991 aerial photograph showed approximately 90 cars. In 1996 Code Enforcement informed Mr. Beck that he was in violation of zoning regulations because he had expanded the area used for junked vehicles and that he must get his property rezoned to come into compliance. Mr. Beck then applied for a rezoning permit for a salvage yard. The Planning Board recommended denial because he had expanded his business up to Polecat Creek. The County Commissioners denied the request. In 1997 the County mailed Mr. Beck a formal notice of violation; Code Enforcement visited him again and began the process of legal action to enforce zoning regulations. In 2002 the case was dismissed without prejudice. In 2004 Code Enforcement began the process again. In March 2004, Mr. Beck requested a rezoning for a salvage yard. The Planning Board heard this request in May and asked staff to work with Mr. Beck regarding buffers and bring a revised request back to them. At their June meeting, the Planning Board recommended denial.

Mr. Johnson showed aerial photographs of the site taken in 1988, 1991, and 1998. He said it is the Planning and Zoning staff's opinion that Mr. Beck expanded his business since 1988 and that Mr. Beck should go back to the level of operation shown in 1988.

Mitchell Beck, applicant, presented a paper from DMV, dated May 26, 1978, showing that he was a licensed motor vehicle dealer. He said that the '88 aerial photo did not show all the cars he had on the site at that time because they were hidden under the trees. He said he had given the Planning and Zoning Director a petition with 71 notarized signatures of people from all over the state, stating that there were cars on the property when he bought it in 1972. He asked those in support of his request to stand. Approximately 20 people stood. Mr. Beck stated that he had put up an 8' fence along his property line. He said this site is not a junkyard; it is a storage yard. He said there are other businesses close by.

Robert Kinney, 2945 George York Rd, stated that he remembered going to this junkyard in 1986, when he was 16, and seeing more cars than are showing in the 1988 photograph. He said Mr. Beck is 62 and not bothering anyone; why take his livelihood away.

J. D. Martin, 2592 Cedar Falls Rd., said that cars have been on this site since the '70's. He stated that when he needed a part, Mr. Beck would require him to buy the whole car.

Calvin Tarlton, 3815 Applewood Rd., Randleman, said Mr. Beck is a good neighbor and is doing nothing wrong.

Harvey Porter, Ross Street, Randleman, said Mr. Beck is a good man.

Ray Davis, Seagrove, stated that Mr. Beck helps people and is a good community man.

James Schoolfield, 2956 George York Rd., said that the 1988 photo does not show all the cars that were there at that time. He said the Board should consider that this is Mr. Beck's livelihood.

Rodney Jernigan, Hub Morris Rd., said he remembered seeing 75-80 Volkswagens on this site in 1985.

Otis (Gene) Roberts, 3194 Whites Memorial Ch. Rd., Franklinville, said that twice in the last two years he received notice that he was in violation of the County's zoning regulations, and he had to get rid of a lot of vehicles. Both times he called Mr. Beck, who came and got all these vehicles. He said Mr. Beck needs his livelihood so he can pay taxes.

Greg Brown, 1571 Naomi St., Randleman, said that Mr. Beck has over 100 cars in the '70's. He said Mr. Beck would let people have cars and pay for them whenever they could.

Shelia Scott, 3282 Robbins Scott Rd., Randleman, adjoining property owner, opposed Mr. Beck's request. She said she moved there in 1973, before Mr. Beck bought his property. She said she is still picking up pieces from vehicles in her pasture. She asked why nothing had been done about Mr. Beck's violations. When she came to the County Commissioners' meeting in 1996, they said Mr. Beck would have to clean up his property and get it rezoned for a salvage yard. She called the County Attorney repeatedly and was told repeatedly that the paperwork for the case against Mr. Beck was "on his desk." She said that by the attorney not abiding by the Board's decision, he was making a mockery of them and the law. She said other salvage yards abide by EPA rulings, but Mr. Beck does not. She said this is nothing personal; she just doesn't want a junkyard next door.

Rick Scott, adjoining property owner, said a junkyard is not consistent with the area, and it hurts development in the area. The Planning Board said the area is not suitable for a junkyard. Mr. Beck has expanded his lot, and he has cars right up to the property line. He noted that the people speaking in support of Mr. Beck are not next-door neighbors. He said that his house is a lot closer to Mr. Beck than what Mr. Beck reported earlier.

On motion of Kemp, seconded by Frye, the Board voted unanimously to deny the request of Mitchell Beck.

The Board noted that they cannot make the operation go away since it was there at the time zoning was implemented. However, he needs to get his salvage license, put up fencing, and comply with EPA regulations. Mr. Beck indicated he is willing to do these things but doesn't know how. Mr. Johnson said that staff would work with him on compliance issues.

4. **NEW HORIZONS DEVELOPMENT, LLC.**, Sophia, North Carolina, is requesting that 100.58 acres located on Beeson Farm Road, Back Creek Township, be rezoned to allow an exclusive residential cluster subdivision overlay. Tax ID# 7724982289. Zoning District RA. The Conditional Use Zoning District would specifically allow a 79-lot residential subdivision for site-built homes with a minimum house size of 1,600 sq. ft. The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be approved.

Luke Hollingsworth, 1922 Hollingsworth Farm Dr., displayed a colored map showing the open space areas, including walking trails and recreation areas, in this proposed development. He noted that there would be no driveway connections to the main road. The development would be served by Davidson Water. Buffers would be planted between this and an adjacent development.

Anita Bircham, 4321 Beckerdite Rd., said she was not informed of the neighborhood information meeting. She said that this development would generate an additional 160 cars traveling that road each day and that the schools in that area are already overcrowded. She said there is too much development in this area already.

Julie Smith, 2827 Jess Smith Rd., said she is the 6th generation of her family to live there. She said there are 4 active farms nearby and people in subdivisions would complain about the odor from spreading chicken litter. The traffic they already have in the area makes it hard to take their tractors on the road, and there are no speed limit signs posted. They also have problems with four wheelers. Since January, 100 lots have already been approved for rezoning in this area. This developer has an additional 288 acres not developed yet.

Amy Lou Smith, 2824 Jess Smith Rd., said the Planning Board minutes do not do justice to what actually happened. She said she and others opposing this request were respectful and straightforward, but they were laughed at, ridiculed and disrespected by the Planning Board. She said she is concerned about the density and size of the lots (1/2 acre) and leakage from the septic systems in the future. She said the developers get more support than the farmers; developers get their money and then leave. Why make it easier for them than the ones living there? More development means more services, which cost more than tax revenues received from the new development. Ms. Smith presented a petition with 26 signatures of area residents opposing this request.

Derrick Smith, 2827 Jess Smith Rd., voiced concerns about wildlife in the area, lot size, school traffic, insufficient patrol officers, and the adjacent 288 acres available for development.

On motion of Davis, seconded by Frye, the Board unanimously approved the request of New Horizons Development, LLC.

5. **BILL BOYD**, Asheboro, North Carolina, is requesting that 20.20 acres located off Old Greensboro Road at the end of Salem Ridge Drive, Level Cross Township, Polecat Creek Watershed, be rezoned to allow a conventional exclusive residential subdivision overlay. Tax ID#7766791649. Zoning District RA. The Conditional Use Zoning District would specifically allow a 34-lot residential subdivision for site-built homes with a minimum house size of 1,200 sq. ft. Russell Truitt - Property Owner. The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be denied.

Mr. Johnson explained that the Planning Board was concerned about density, traffic congestion, and the fact that there would be no ingress or egress for this development except through the existing development. He said that Mr. Boyd has proposed a change in his request, which is now for fewer lots.

Bill Boyd, applicant, 926 S. Fayetteville Street, Asheboro, said there are other subdivisions in Randolph County with more lots than this proposal that have only one entry: Pinecroft has 100+ lots; Tot Hill, 150+; and Oak Hollow West, 100+. He said it is good security, like a gated community, to have only one entry. Mr. Boyd said he did reduce the number of lots from 34 to 24 to help the people in the subdivision. He stated that he plans to leave the trees except for houses and driveways. He said there are problems with the roads in the existing subdivision, but he is going to court with the utility contractor over this matter.

Andy Papp, 209 Salem Ridge Dr., said that when he bought his house in the existing subdivision, he was told that there would never be any expansion to this development. He said he was lied to. He expressed his concern for traffic congestion now, with a school entrance right across the road from the entrance to this subdivision. He said construction noise would be a problem. There is construction going on now at 7:30 on Saturday and Sunday mornings and up until 8:30 some nights. Trucks unloading make more noise. The roads are in bad shape and too narrow for vehicles meeting construction trucks. He asked if this addition would make his homeowners association dues increase and if the new development would use the same pump station that they have. He said it looks as if more development is planned for the future, because an access lot to other acreage is shown on the current plan.

Marcus Harvey, 532 Salem Ridge Dr., distributed a petition opposing this request from those who live in the subdivision. He said the proposed expansion would mean residents couldn't let their children play outside because of the construction/increased traffic.

Donna Roach, 334 Lacewood Ct., stated that she was told there would be no additional lots developed, only the 52 in the original subdivision. She said that she never received any notification about the Planning Board meeting on this matter.

Penny Beaver, 508 Salem Ridge Dr., said one of her children has an attention deficit disorder, and that is why she bought a lot on a cul-de-sac. She can let him play outside there. That is the reason she sold her previous house. She said she specifically asked her realtor about additional development because of this problem and was told there would be no more development.

Beverly Sockington, 629 Salem Ridge Dr., said she has to back out of her driveway onto her cul-de-sac. If this rezoning request is approved, she will now be on a main road and will have to build a turn-around area in her driveway because she couldn't back out into a main road with heavy traffic. She said that Bill Boyd's representative swore to her that there would be no more development there. She said she also has a drainage problem that Mr. Boyd has promised for years to fix. Runoff from the development into her yard at times stands 4 feet deep.

Jack Tilley, 268 Two Pond Drive, stated that he has lost 50-75 feet of his pond because of runoff from the Salem Ridge Subdivision. He said he showed an EPA representative a one-foot mark of mud on his trees, 100 feet wide, from that runoff. EPA told him they would contact Mr. Boyd about this problem.

Weldon Tilley, Two Pond Drive, said that all the land from the subdivision drains onto their land. He asked the Board if they could impose restrictions about runoff.

On motion of Davis, seconded by Kemp, the Board voted unanimously to deny the request of Bill Boyd.

F. **DEEP BLUE INVESTMENTS, LLC.**, Asheboro, North Carolina, is requesting that 87.36 acres located on Young Road, Grant Township, be rezoned to allow a conventional exclusive residential subdivision overlay. Tax ID# 7790895301, 7790799952, 7790881291, and 7790881520. Zoning District RA. The Conditional Use Zoning District would specifically allow a 49-lot residential subdivision for site-built or conventional modular homes with a minimum house size of 1,200 sq. ft. Martha Hudson - Property Owner. The Planning Board considered this request at a public meeting on June 8, 2004, and recommended unanimously that this request be approved.

Mr. Johnson explained that this property has been before the Board twice before—first as a mobile home park, then a mobile home subdivision. The Planning Board wanted to see what the plans would be for the entire acreage, which is what they are now submitting. He said there were several people present at the neighborhood information meeting who were opposed to a large development in this area.

Lee Roberts, 801 Kildare Rd., said they have decided to allow site-built houses only, no modular. There will be a 50' no-cut buffer along the property line and a 100' no-cut buffer along the creek.

Faye Cox, 1211 Grantville Lane, said there is nothing growing in the buffer now along her property line.

Lee Roberts said he would be willing to have as a condition of the rezoning permit a requirement that loblolly pines be planted along the buffer.

On motion of Mason, seconded by Frye, the Board unanimously approved the request of Deep Blue Investments, LLC, with the condition of a Class 2, 50-foot buffer along the perimeter to the fence line.

Action from Closed Session

On motion of Frye, seconded by Davis, the Board unanimously voted to retain Nexsen Pruet Adams Kleemeier, PLLC to represent Randolph County on behalf of the State of North Carolina in connection with the nuisance abatement action against Clarence Ray Jernigan, James Worth Heath and Heath Cigarette and Music Service, Inc., on a contingency fee basis for one-third of any damages or forfeitures actually collected that are awarded by the Court.

Adjournment

At 10:15 p.m., the Board adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board